

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE STATE OF NEW YORK,	:	
	:	
Plaintiffs,	:	22-CV-6124 (JMF)
	:	
-v-	:	<u>ORDER</u>
	:	
ARM OR ALLY, LLC, et al.,	:	
	:	
Defendants.	:	
-----X	:	

JESSE M. FURMAN, United States District Judge:

On January 16, 2023, Defendants filed motions to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. At the Court's direction, Plaintiff filed a letter on February 7, 2023, informing the Court that it intends to seek leave amend its Complaint by February 27, 2023, and that Defendants do not intend to object. ECF No. 124.


Plaintiff is hereby granted leave to amend to cure the deficiencies alleged in Defendants' motions. It is hereby ORDERED that Plaintiff shall file any amended complaint by **February 27, 2023**. Pursuant to Paragraph 1.B. of the Court's Individual Rules and Practices in Civil Cases, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>, any amended complaint should be filed with a redline showing all differences between the original and revised filing. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motions to dismiss.

By three (3) weeks after the amended complaint is filed, Defendants shall: (1) file answers; (2) file new motions to dismiss; or (3) file a letter (or letters) on ECF stating that they rely on the previously filed motions to dismiss. If Defendants file answers or new motions to dismiss, the Court will deny the relevant previously filed motion(s) to dismiss as moot. If Defendants file new motions to dismiss, any opposition shall be filed (on a consolidated basis) by **May 1, 2023**, and shall not exceed 75 pages, and any replies shall be filed by **May 19, 2023**, following the structure described in the Court's January 24, 2023 Order, ECF No. 117.

If Plaintiff does not file an amended complaint, then the briefing schedule set forth in the Court's January 24, 2023 Order remains in effect.

SO ORDERED.

Dated: February 8, 2023  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge